THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.17919 of 2007

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ORDER:

This Writ Petition is filed for a Writ of *Mandamus* to set aside notification dated 28-06-2007 issued under Section 4 (1) of the Land Acquisition Act, 1894 (for short, 'the Act') wherein an extent of Ac.0.90 cents of land belonging to the petitioner and comprised in Sy.No.145/2P of Peda Doddigunta Village, Rangampet Mandal, East Godavari District, is proposed to be acquired.

Heard Sri K.Venkatesh, learned counsel for the petitioner and learned Assistant Government Pleader for Land Acquisition.

Though the petitioner raised the contention that the land which is notified for acquisition is an agricultural land and the same cannot be acquired without conversion for non-agricultural purpose, the learned counsel for the petitioner fairly submitted that petitioner may be permitted to raise all his objections before respondent No.2 in the enquiry proposed to be held under Section 5-A of the Act.

In view of the statement of the learned counsel for the petitioner, the Writ Petition is disposed of. Respondent No.2 is directed to consider the objections filed by the petitioner, after affording him an opportunity of personal hearing and dispose of the same. Till then, the petitioner shall not be dispossessed from the land belonging to him. No costs.

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C.V.NAGARJUNA REDDY, J.

19th November, 2007.

skmr

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.17919 of 2007

Date: 19th November, 2007

BETWEEN:

Pepakayala Tirupavathi, W/o Mallabbai,
Age : 60 years, Occ:Cultivation,
R/o Peda Doddigunta Village,
Rangampeta Mandal, E.G.District. .. Petitioner.

AND

The District Collector,
East Godavari District at Kakinada
and others ..
Respondents

Counsel for the petitioner : Sri K.Venkatesh

Counsel for the Respondents : G.P. for Land Acquisition